S.B.CRIMINAL MISC. PETITION NO.549/2006
Date : 02.08.2007

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Vineet Jain for the petitioner.

By moving the present criminal misc. petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 02.09.2005 passed by learned Additional Chief Judicial Magistrate, Begu in Criminal Misc. Case No.336-A/2005, whereby the learned trial court has awarded Rs.1500/- per month as maintenance to Smt. Sharda.

It is not in dispute that appropriate provisions are there in the Code of Criminal Procedure for challenging the order impugned by way of revision and filing of a petition under Section 482 Cr.P.C. straightaway cannot be said to be right approach.

The misc. petition stands dismissed as not maintainable with the observation that the petitioner shall be free to move revision petition before the concerned Court and the time spent in pursuing the remedy before this Court shall not come in way of the petitioner for the purpose of calculating the period of limitation.

(SATYA PRAKASH PATHAK), J.